# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/848,828 | 05/04/2001 | Zachary A. James | RSW9-2001-0077-US1 | 7479 |

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| EXAMINER |
|---|
| RIES, LAURIE ANNE |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2176 | |

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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PTO-90C (Rev. 10/03)

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 09/848,828 | JAMES ET AL. |
| | Examiner | Art Unit |
| | Laurie Ries | 2176 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _04 May 2001_.

2a)☐ This action is **FINAL**.      2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _1-29_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-29_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _04 May 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

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**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _11/29/2002_.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

## DETAILED ACTION

### *Specification*

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

- Page 3, line 11 – reference to http://www.w3.org/TR/1998/REC-xml-19980210

- Page 4, line 10 – reference to http://www.w3.org/TR/REC-DOM-Level-1

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

In accordance with 37 CFR 1.126, misnumbered claims 18 through 30 have been renumbered to 17 through 29, respectively, and will be referred to as such for the remainder of this Office action. There is no claim 17 present in the originally filed papers.

The disclosure is objected to because of the following informalities:

- Page 9, line 17 – incomplete sentence ending with the word "because".

Appropriate correction is required.

## *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Hind

(U.S Publication 2002/0161801 A1).

As per claims 1 and 11, Hind discloses a method for efficient processing of a

markup language document that includes communicating an array-based data model

representing the document to an application process through a bus of a printed circuit

board. (See Hind, Page 5, paragraph 0040, lines 7-9, Figure 8, and Page 12,

paragraph 0112, lines 6-20).

As per claim 2, Hind discloses that the data model represents a document

encoded in mXML. (See Hind, Page 5, paragraph 0044, line 11).

As per claim 3, Hind discloses that the data model represents a document

encoded in XML. (See Hind, Page 5, paragraph 0045, lines 4-5).

As per claim 4, Hind discloses a method for efficient processing of a markup

language document including receiving a document intended for delivery to a target

(See Hind, Page 4, paragraph 0035, lines 2-3), processing the document using a

special purpose processor (See Hind, Page 5, paragraph 0044), and passing the

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processed document to the target for further processing by a general purpose processor (See Hind, Page 5, paragraph 0045, lines 21-23).

As per claim 5, Hind discloses that the processing step includes parsing the document (See Hind, Figure 5, element 500, and Page 9, paragraph 0082).

As per claim 6, Hind discloses that the processing step includes performing a transformation on the document by transforming it into a DOM tree structure. (See Hind, Figure 5, element 500).

As per claim 7, Hind discloses that the processing step includes creating an array-based model of the document. (See Hind, Page 4, paragraph 0038, lines 9-11).

As per claim 8, Hind discloses that the processing step includes creating a tree-based model of the document. (See Hind, Figure 5, element 500).

As per claim 9, Hind discloses that the special purpose processor is configured for parsing the document. Inclusion of an integrated circuit is inherently in the design of a computer-based processor. (See Hind, Figure 6A, and Page 10, paragraph 0091).

As per claims 10 and 21, Hind discloses that the special purpose processor includes a supplemental general purpose processor for executing computer readable code for parsting the document, and that the supplemental general purpose process is distinct from a primary general purpose processor. (See Hind, Figure 3, elements 325a-c).

As per claim 12, Hind discloses that the passing step includes communicating the document, as processed, to a target via a communications network. (See Hind, Figure 3).

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As per claim 13, Hind discloses that the target is a local application process.
(See Hind, Page 4, paragraph 0040, lines 8-24).

As per claim 14, Hind discloses that the target is a remote device accessed
across a network. (See Hind, Page 5, paragraph 0041).

As per claim 15, Hind discloses a system for efficient processing of a markup
language document including a memory (See Hind, Figure 8, element 828), a general
purpose processor connected to the memory for executing code stored in the memory
(See Hind, Figure 8, element 812), a special purpose processor connected to the
memory for processing markup language documents (See Hind, Page 5, paragraph
0044), and where the special purpose processor is a dedicated processor (See Hind,
Page 5, paragraph 0044).

As per claim 16, Hind discloses that the special purpose processor is configured
for parsing mXML documents. (See Hind, Page 5, paragraph 0044, lines 14-17).

As per claim 17, Hind discloses that the special purpose processor is configured
for transforming mXML documents. (See Hind, Figure 5, element 500).

As per claim 18, Hind discloses that the special purpose processor is configured
for processing the document. Inclusion of an integrated circuit is inherently in the
design of a computer-based processor. (See Hind, Page 5, paragraph 0044).

As per claims 19 and 23, Hind discloses the inclusion of a telecommunications
device connected to the general purpose processor and capable of communicating via a
communications network. (See Hind, Figure 9). Also, Hind discloses a first program
stored in memory and executable by the general purpose processor for controlling the

special purpose processor to process the document  (See Hind, Page 5, paragraph

0045).  Hind also discloses that the document, as processed, is communicated to a

target.  (See Hind, Page 5, paragraph 0045).

As per claims 20 and 24, Hind discloses a second program stored in memory

and executable by the general purpose processor for recognizing the document as

encoded in the markup language and responsively controlling the special purpose

processor to process the document.  (See Hind, Page 5, paragraph 0045).

As per claim 22, Hind discloses that the code is configured for processing the

document in mXML.  (See Hind, Page 5, paragraph 0045, lines 4-5).

As per claim 25, Hind discloses a printed circuit board including a general

purpose processor connected to the memory for executing code stored in memory (See

Hind, Figure 8), and a special purpose processor connected to the general purpose

processor and configured for processing markup language document.  (See Hind, Page

5, paragraph 0044).

As per claim 26, Hind discloses that the special purpose processor is configured

for processing the document.  Inclusion of an integrated circuit is inherently in the

design of a computer-based processor.  (See Hind, Page 5, paragraph 0044, lines 14-

17).

Claim 27 is rejected on the same basis as claims 16 and 17.

Claim 28 is rejected on the same basis as claim 10.

As per claim 29, Hind discloses the inclusion of a memory connected to the

supplemental general purpose processor (See Hind, Page 4, paragraph 0039, and

Figure 2, element 250), and code stored in memory and executable by the

supplemental general purpose processor for processing the document. (See Hind,

Page 5, paragraph 0044-0045).


### Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

- Eggebraaten (U.S. Publication 2002/0120776 A1) discloses a system,

  method and business method for automating business-to-business

  communications.

- Sato (U.S. Patent 6,014,680) discloses a method and apparatus for

  generating a structured document.

- Lahey (U.S. Patent 6,092, 089) discloses a system and method for

  augmenting comment fields of postscript files to enable document

  management.


Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Laurie Ries whose telephone number is 703-605-

1238. The examiner can normally be reached on Monday-Friday from 7:00am to

3:30pm.  Information regarding the status of an application may be obtained

from the Patent Application Information Retrieval (PAIR) system.  Status

information for published applications may be obtained from either Private PAIR

or Public PAIR.  Status information for unpublished applications is available

through Private PAIR only.   For more information about the PAIR system, see

http://pair-direct.uspto.gov.  Should you have any questions on access to the

Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free).

    LAR

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER